

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00632

Marcus Dewayne Matlock,
Petitioner,

v.

Sheriff, Smith County,
Respondent.


ORDER

On December 7, 2020, pro se petitioner Marcus Dewayne Matlock filed this petition for a writ of habeas corpus. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 2.

On February 1, 2021, the magistrate judge directed petitioner to file a response demonstrating that he had exhausted his state court remedies before filing this habeas petition. Doc. 9. Petitioner did not respond. On April 27, 2021, the magistrate judge entered a report recommending that petitioner's habeas petition be dismissed without prejudice for want of prosecution and failure to obey a court order. Doc. 10. No objections were filed.

When no party objects to a magistrate judge's report, it is reviewed only for clear error. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Finding no clear error in the report, the court accepts the magistrate judge's report and recommendation. *See Fed. R. Civ. P. 72(b)(3)*. The petition is dismissed without prejudice.

So ordered by the court on May 26, 2021.



J. CAMPBELL BARKER
United States District Judge